Remarks

The Office Action mailed May 3, 2004, has been carefully reviewed and the foregoing amendment has been made in consequence thereof.

Claims 1-20 are now pending in this application. Claims 1-20 stand rejected.

The rejection of Claims 1-10 and 13-20 under 35 U.S.C. § 102(b) as being anticipated by Sebastian (US 5,552,995) is respectfully traversed.

Sebastian describes a computer-based system and method for the concurrent design of a part, the tool to make the part, and the processes used in making the part. The system includes a central processing unit (CPU) (32), a memory (34), an input device (35), and an output device (36). The memory stores a plurality of feature templates (200), wherein each template includes a representative of a primitive object having a form and a function. The input device is configured receive a request to design the part, wherein the request includes one or more predetermined functions that the part performs. The system includes a core design module (76) which is stored in the memory and executed by the CPU. The core design module allows the operator to design the part, the tool to make the part, and the process to make the part by accessing the plurality of feature templates in the memory to locate one or more primitive objects that perform the one or more requested predetermined functions. Notably, Sebastian does not describe a method for determining a sequence of operations to be used in the repair of a particular part.

Claim 1 recites a method for distributing information concerning recommended steps for repairing a part, comprising "using a computer network to receive at a first location a request for a recommended repair sequence of steps for repairing the part, the request originating at a second location that is remote from the first location...causing an input screen to be displayed at the second location to collect information about the recommended repair sequence of steps for repairing the part...processing, at the first location, the request to produce the recommended repair sequence of steps for repairing the part...and using the

computer network to convey from the first location to the second location a response that includes the recommended repair sequence of steps for repairing the part."

Sebastian does not describe nor suggest a method for distributing information concerning recommended steps for repairing a part, wherein the method includes using a computer network to receive at a first location a request for a recommended repair sequence of steps for repairing the part, the request originating at a second location that is remote from the first location, causing an input screen to be displayed at the second location to collect information about the recommended repair sequence of steps for repairing the part, processing, at the first location, the request to produce the recommended repair sequence of steps for repairing the part, and using the computer network to convey from the first location to the second location a response that includes the recommended repair sequence of steps for repairing the part. Specifically, Sebastian does not describe nor suggest a method for repairing a part. Rather, and in contrast to the present invention, Sebastian describes a computer-based method for designing a new part, the tool to make the new part, and the processes used to make the new part. Accordingly, for at least the reasons set forth above, Claim 1 is submitted to be patentable over Sebastian.

Claims 2-9 depend, directly or indirectly, from independent Claim 1. When the recitations of Claims 2-9 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 2-9 likewise are patentable over Sebastian.

Claim 10 recites "a method for distributing information concerning recommended steps for repairing a part, comprising providing a computer network for communicating digital data between at least two locations...first conveying, using the computer network, a request for a recommended repair sequence of steps for repairing the part, the request having originated at a first location and being directed to a second location...and second conveying, in response to the request and using the computer network, a response that includes the recommended repair sequence of steps for repairing the part, the response having originated at the second location and being directed to the first location."

Sebastian does not describe nor suggest a method for distributing information concerning recommended steps for repairing a part, wherein the method includes providing a computer network for communicating digital data between at least two locations, first conveying, using the computer network, a request for a recommended repair sequence of steps for repairing the part, the request having originated at a first location and being directed to a second location, and second conveying, in response to the request and using the computer network, a response that includes the recommended repair sequence of steps for repairing the part, the response having originated at the second location and being directed to the first location. Specifically, Sebastian does not describe nor suggest a method for repairing a part. Rather, and in contrast to the present invention, Sebastian describes a computer-based method for designing a new part, the tool to make the new part, and the processes used to make the new part. Accordingly, for at least the reasons set forth above, Claim 10 is submitted to be patentable over Sebastian.

Claims 13-15 depend, directly or indirectly, from independent Claim 10. When the recitations of Claims 13-15 are considered in combination with the recitations of Claim 10, Applicants submit that dependent Claims 13-15 likewise are patentable over Sebastian.

Claim 16 recites " a method for providing information concerning recommended steps for repairing a part, comprising the steps of providing, in a computer memory, a decision tree having at least two possible sequences of steps for repairing a part...receiving a request, originating from a computer input device, for a recommended repair sequence of steps for repairing the part, the request including information for use in determining a recommended repair sequence of steps from the at least two possible sequences in the decision tree...using, in a digital computer, the request and the decision tree to determine a recommended repair sequence of steps for repairing the part...and transmitting the recommended repair sequence of steps towards a computer output device."

Sebastian does not describe nor suggest a method for providing information concerning recommended steps for repairing a part, wherein the method includes the steps of providing, in a computer memory, a decision tree having at least two possible sequences of steps for repairing a part, receiving a request, originating from a computer input device, for a

recommended repair sequence of steps for repairing the part, the request including information for use in determining a recommended repair sequence of steps from the at least two possible sequences in the decision tree, using, in a digital computer, the request and the decision tree to determine a recommended repair sequence of steps for repairing the part, and transmitting the recommended repair sequence of steps towards a computer output device. Specifically, Sebastian does not describe nor suggest a method for repairing a part. Rather, and in contrast to the present invention, Sebastian describes a computer-based method for designing a new part, the tool to make the new part, and the processes used to make the new part. Accordingly, for at least the reasons set forth above, Claim 16 is submitted to be patentable over Sebastian.

Claims 17-20 depend, directly or indirectly, from independent Claim 16. When the recitations of Claims 17-20 are considered in combination with the recitations of Claim 16, Applicants submit that dependent Claims 17-20 likewise are patentable over Sebastian.

For at least the reasons set forth above, Applicants respectfully request that the 35 U.S.C. § 102 rejection of Claims 1-10 and 13-20 be withdrawn.

The rejection of Claims 11 and 12 under 35 U.S.C. § 103(a) as being unpatentable over Sebastian is respectfully traversed.

Sebastian is described above.

Applicants respectfully submit that the Section 103 rejection of the presently pending claims is not a proper rejection. The mere assertion that "[i]t would have been obvious to one having ordinary skill in the art at the time the invention was made to include the World Wide Web in the network of Sebastian since it is commonly used in network configurations, and it would have been obvious to use either a local area network or a wide are network since they are commonly used network configurations" does not support a prima facie obvious rejection. Rather, each allegation of what would have been an obvious matter of design choice must always be supported by citation to some reference work recognized as standard in the pertinent art, and the Applicants given an opportunity to challenge the correctness of the

assertion or the repute of the cited reference. Applicants have not been provided with the citation to any reference supporting the combination made in the rejection. The rejection, therefore, fails to provide the Applicants with a fair opportunity to respond to the rejection, and fails to provide the Applicants with the opportunity to challenge the correctness of the rejection. Therefore, Applicants respectfully request that the Section 103 rejection be withdrawn.

Furthermore, it is impermissible to use the claimed invention as an instruction manual or "template" to piece together the teachings of the cited art so that the claimed invention is rendered obvious. Specifically, one cannot use hindsight reconstruction to pick and choose among isolated disclosures in the art to deprecate the claimed invention. Further, it is impermissible to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art. The present Section 103 rejection is based on modifying the teachings of a single patent in an attempt to arrive at the claimed invention. Specifically, Sebastian is cited for a computer-based system and method for the concurrent design of a new part, the tool to make the new part, and the processes used in making the new part. However, there is no teaching nor suggestion in the cited art for the modifications deemed obvious by the Examiner, and as such, the Section 103 rejection appears to be based on a hindsight reconstruction in which isolated elements of a single disclosure have been picked and chosen in an attempt to deprecate the present invention. Of course, such a hindsight reconstruction is impermissible, and for this reason alone, Applicants request that the Section 103 rejection of Claims 11 and 12 be withdrawn.

Further, and to the extent understood, Sebastian does not describe nor suggest the claimed combination, and as such, the presently pending claims are patentably distinguishable from the cited combination. Specifically, Claim 10 recites "a method for distributing information concerning recommended steps for repairing a part, comprising providing a computer network for communicating digital data between at least two locations...first conveying, using the computer network, a request for a recommended repair sequence of steps for repairing the part, the request having originated at a first location and

being directed to a second location...and second conveying, in response to the request and using the computer network, a response that includes the recommended repair sequence of steps for repairing the part, the response having originated at the second location and being directed to the first location."

Sebastian does not describe nor suggest a method for distributing information concerning recommended steps for repairing a part, wherein the method includes providing a computer network for communicating digital data between at least two locations, first conveying, using the computer network, a request for a recommended repair sequence of steps for repairing the part, the request having originated at a first location and being directed to a second location, and second conveying, in response to the request and using the computer network, a response that includes the recommended repair sequence of steps for repairing the part, the response having originated at the second location and being directed to the first location. Specifically, Sebastian does not describe nor suggest a method for repairing a part. Rather, and in contrast to the present invention, Sebastian describes a computer-based method for designing a new part, the tool to make the new part, and the processes used to make the new part. Accordingly, for at least the reasons set forth above, Claim 10 is submitted to be patentable over Sebastian.

Claims 11 and 12 depend from independent Claim 10. When the recitations of Claims 11 and 12 are considered in combination with the recitations of Claim 10, Applicants submit that Claims 11 and 12 likewise are patentable over Sebastian.

For at least the reasons set forth above, Applicants respectfully request that the 35 U.S.C. § 103 rejection of Claims 11 and 12 be withdrawn.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,

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